IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 3684 of 2005

Between:

Anil Kumar Aggarwal S/o late Sri. Om Prakash Aggarwal
R/o H. No. 10-3-3/14, Near Dena bank, East Marredpally, Secunderabad

..... PETITIONER

AND

The Superintendent Prohibition & Excise, A.P.,

Golkonda, Hyderabad District

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction more particularly in the nature of Writ of mandamus declaring the action of the Respondent in seizing the vehicle bearing No. TN 38E 7557 Light Motor Vehicle Car as illegal, arbitrary and consequently set a side the notice dt Cr. No. A3/2294, dt Nil-03-2003 signed on 28-03-2003 by the 1st Respondent and the consequential seizure vide panchnama dt 22-02-2005 by the 1st Respondent.

Counsel for the Petitioner: MR.K.V.SIMHADRI

Counsel for the Respondent: GP FOR PROHIBITION & EXCISE

This Court at the stage of admission made the following:

ORDER:

This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the respondent in seizing the vehicle bearing No. TN 38 E 7557, as illegal and arbitrary, and consequently, to set

aside the notice in Cr.No.A3/2294/94, dated Nil-03-2003, signed by the respondent on 28.03.2003, and the consequential seizure effected by the respondent vide Panchanama dated 22.02.2005.

This Court, while ordering notice before admission on 25-2-2005, granted interim directions directing the respondents to release the seized vehicle subject to the petitioner depositing a sum of Rs.4,00,000/-.

The learned Government Pleader for Prohibition and Excise appearing on behalf of the respondents submitted that the petitioner complied with the interim order passed by this Court, and also issued post-dated cheque dated 26-3-2005 for Rs. 2,32,574-15 ps. for the remaining amount demanded under the impugned notice towards excise dues, under the One-Time Settlement Scheme, and as such, no further orders need be passed in the writ petition.

Inasmuch as the petitioner pursuant to the interim order passed by this Court, paid the amount as directed and got release of the vehicle, and also paid the balance amount of Rs.2,32,574-15 ps. towards excise arrears, under the One Time Settlement Scheme, no further orders need be passed in the writ petition, and the same is accordingly closed. No costs.

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25.04.2005

dr/tvk

To

1 The Superintendent Prohibition & Excise, A.P.,

Golkonda, Hyderabad District

2 2 CCs to Government Pleader for Prohibition and Excise,

High Court Buildings, Hyderabad. (OUT)

3 2 CD copies